

ASSEMBLY BILL

No. 1045

Introduced by Assembly Member Leslie

February 20, 2003

An act to amend Section 114260, relating to mobile food facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1045, as introduced, Leslie. Mobile food facilities: churros.

Existing law establishes standards for a mobile food facility and prohibits cooking processes, as defined, on a mobile food facility.

This bill would exempt the preparation of churros from the prohibition against cooking processes on a mobile food facility.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 114260 of the Health and Safety Code
2 is amended to read:

3 114260. (a) Mobile food facilities that are limited to the
4 handling of prepackaged nonpotentially hazardous food and
5 produce shall comply with subdivisions (a) to (i), inclusive, of
6 Section 114265.

7 (b) Mobile food facilities that handle prepackaged potentially
8 hazardous food, whole fish and whole aquatic invertebrates, or the
9 bulk dispensing of nonpotentially hazardous beverages shall
10 comply with subdivisions (a) to (m), inclusive, of Section 114265.
11 For purposes of this section, tamales shall be considered

1 prepackaged if dispensed to the customer in its original, inedible
2 wrapper.

3 (c) Mobile food facilities that handle any of the following foods
4 shall comply with subdivisions (a) to (t), inclusive, of Section
5 114265:

6 (1) Nonprepackaged nonpotentially hazardous food requiring
7 no preparation other than heating, baking, popping, blending,
8 assembly, portioning, or dispensing.

9 (2) Preparation of nonpotentially hazardous ingredients into a
10 nonpotentially hazardous food.

11 (3) ~~Hot~~ Churros, hot dogs, cappuccino and other coffee-based
12 or cocoa-based beverages that may contain cream, milk, or similar
13 dairy products, and frozen ice cream bars that meet the
14 requirements of subdivision (b) of Section 114270.

15 (d) Only those foods described in this section may be prepared
16 or dispensed on a mobile food facility.

17 (e) ~~Cooking~~ (1) *Except as provided in paragraph (2), cooking*
18 *processes, including, but not limited to, barbecuing, broiling,*
19 *frying, and grilling are not permitted on a mobile food facility.*

20 (2) *The preparation of churros is exempt from the prohibition*
21 *in paragraph (1).*

